Last Upated: February 2004

Mercury Refining Company, Inc. (MERECO)

EPA ID Number: NYD048148175

Other (Former) Names of Site

Mercury Waste Solutions - New York, Inc. (MWS-New York) (co-permittee)

Site Description

The facility is located at 26 Railroad Avenue, north of Interstate 90 and south of Central Avenue in the towns of Colonie and Guilderland in Albany County, New York. The site encompasses 0.63 acres on a 2.8 acre parcel. MERECO began operations in 1955. These operations included (1) receiving hazardous waste from off-site; (2) storing this waste on-site; (3) reclaiming silver and other precious metals; and (4) reclaiming metallic mercury from off-specification metallic mercury, mercury batteries and other mercury-bearing wastes.

The mercury was reclaimed using retort (condensation) furnaces at the facility. This facility was a commercial hazardous waste facility because hazardous waste was received from off-site for on-site storage. However, in 1998, MERECO discontinued reclaiming mercury, but continued reclaiming precious metals at the facility. The precious metal reclamation process continues at the facility, and is exempt from Resource Conservation and Recovery Act (RCRA) regulation.

In 1998, MERECO's permitted hazardous waste storage building was leased to Mercury Waste Solutions - New York, Inc. (MWS), which became a co-permittee at this site. However, in the year 2003, MWS surrendered its lease of the permitted hazardous waste storage building, and ceased hazardous waste operations.

Site Responsibility and Legal Instrument

Remedial investigation and remediation at this facility currently is under the authority of the EPA Superfund program. Originally, it was under the authority of the New York State Department of Environmental Conservation (NYSDEC). A hazardous waste permit was issued to the facility by the NYSDEC , under 6 NYCRR Part 373, on December 31, 1996. A permit also was issued by EPA in September 1997, under the Hazardous and Solid Waste Amendments of RCRA, which authorized the storage of toxicity characteristic

wastes (a subset of hazardous wastes), and set out conditions for waste minimization, land disposal restrictions, organic air emissions requirements, and other RCRA requirements.

The New York State's 6 NYCRR Part 373 permit authorized the storage of hazardous wastes that are solely regulated by NYSDEC, and imposed general operating conditions upon the facility and corrective action requirements for solid waste management units (SWMUs). The corrective action module of the 6 NYCRR Part 373 permit identified 11 SWMUs and 7 AOCs that required investigation. On May 8, 1998, NYSDEC signed a consent order for corrective action with MERECO and Mercury Waste Solutions. Under the consent order, MERECO would manage the investigation and any required cleanup.

However, due to the slow pace of work under the consent order, NYSDEC later requested that the project be transferred to the EPA Superfund program via a letter dated November 17, 1999. Under the EPA Superfund program, the work is expected to be done more quickly because EPA would manage the investigation and any cleanup before requesting reimbursement from the facility. Thus the pace of the investigation would not be dependent upon the facility's financial health. The EPA Superfund program accepted the request and sent a follow up response to NYSDEC, in which they outlined the steps that will be taken in the Superfund remedial investigation and selection processes.

As required by the corrective action module of the 6 NYCRR Part 373 permit, the Remedial Investigation and Feasibility Study (RI/FS) for which the EPA Superfund program now has the lead, would delineate the extent of mercury and PCB contamination. This includes the legal bounds of the property, some portion of the properties that adjoin the facility, and contaminated sediments of Patroon's Creek, which runs along the facility. Additionally, the RI/FS would fully delineate the groundwater plume, which may not have been delineated completely in previous investigations.

Permit Status

The permit issued by the New York State Department of Environmental Conservation (NYSDEC) under 6 NYCRR Part 373 on December 31, 1996 was set to expire on December 31, 2001. However, this permit continued in effect until after the hazardous waste operations ceased, because the permit renewal application was submitted by the facility to NYSDEC in a timely fashion. On September 30, 2003, the permit was terminated by NYSDEC, at the permittee's request, because the facility no longer managed hazardous wastes. (MERECO continues to reclaim precious metals at a portion of the facility, but these operations are not under the jurisdiction of EPA's hazardous waste program.)

Potential Threats and Contaminants

Investigations by EPA and NYSDEC have found mercury and PCB contamination of the soil, groundwater, surface water, and sediments. Mercury is of primary concern due to its high concentration and frequency. Other metals (lead, arsenic) are of secondary concern.

There is also the possibility that there will be further migration of the contaminants. There also is a potential for adverse impacts on downstream recreation areas within the Patroon Creek system. A human risk assessment has been prepared, and a draft report was submitted to EPA for review in April 2003.

Cleanup Approach and Progress

As required by the NYSDEC Part 373 permit, the RI/FS would delineate mercury and PCB contamination on property, as well as some portion of properties which adjoin the facility and any contaminated Creek sediments. The property and the area around it also have been analyzed for an array of potential contaminants. Additionally, the RI/FS would fully delineate the groundwater plume, which may not have been delineated completely in previous investigations. After completion of the investigation, several methods for remediating the contamination would be evaluated.

The EPA Superfund program retained a contractor to conduct a remedial investigation (RI), and the field work was completed in December 2001. The draft RI report was submitted to EPA in November 2002. The RI report identified contamination in soil and sediment, and some groundwater contamination exceeding acceptable levels. Additional data collected in June 2003 confirmed that groundwater contamination is confined to the area of contaminated soil, and could be remediated as part of any soil remedy. The Feasibility Study (April 2003) evaluated five alternative remedies for soil and two alternatives for sediment.

The proposed plan for soil and sediment remediation is anticipated by the Summer of 2004, followed by a record of decision (ROD) in the Fall of 2004, and then remedy design and construction.

Site Repository

Copies of supporting technical documents and correspondence cited in this site fact sheet are available for public review at:

U.S. Environmental Protection Agency Region 2
RCRA Records Center
290 Broadway, 15th Floor
New York, NY 10007-1866
Tel. (212)637-3043

NYSDEC Region 4
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